



# County of Fairfax, Virginia

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April 13, 2016

## STAFF REPORT

### SPECIAL PERMIT SP 2016-DR-007

#### DRANESVILLE DISTRICT

**APPLICANT:** Devin Mahoney

**OWNER:** Devin and Elizabeth Mahoney

**STREET ADDRESS:** 1349 Rock Chapel Road, Herndon

**SUBDIVISION:** Crestbrook, Section 4, Lot 45

**TAX MAP REFERENCE:** 5-4 ((4)) 45

**LOT SIZE:** 8,500 square feet

**ZONING DISTRICT:** R-3 (cluster)

**ZONING ORDINANCE PROVISION:** 8-922

**SPECIAL PERMIT PROPOSAL:** To permit a reduction in certain yard requirements to permit an addition 12.8 feet from a rear lot line.

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2016-DR-007, subject to the Proposed Development Conditions contained in Appendix 1 of the staff report.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Heath Eddy, AICP

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

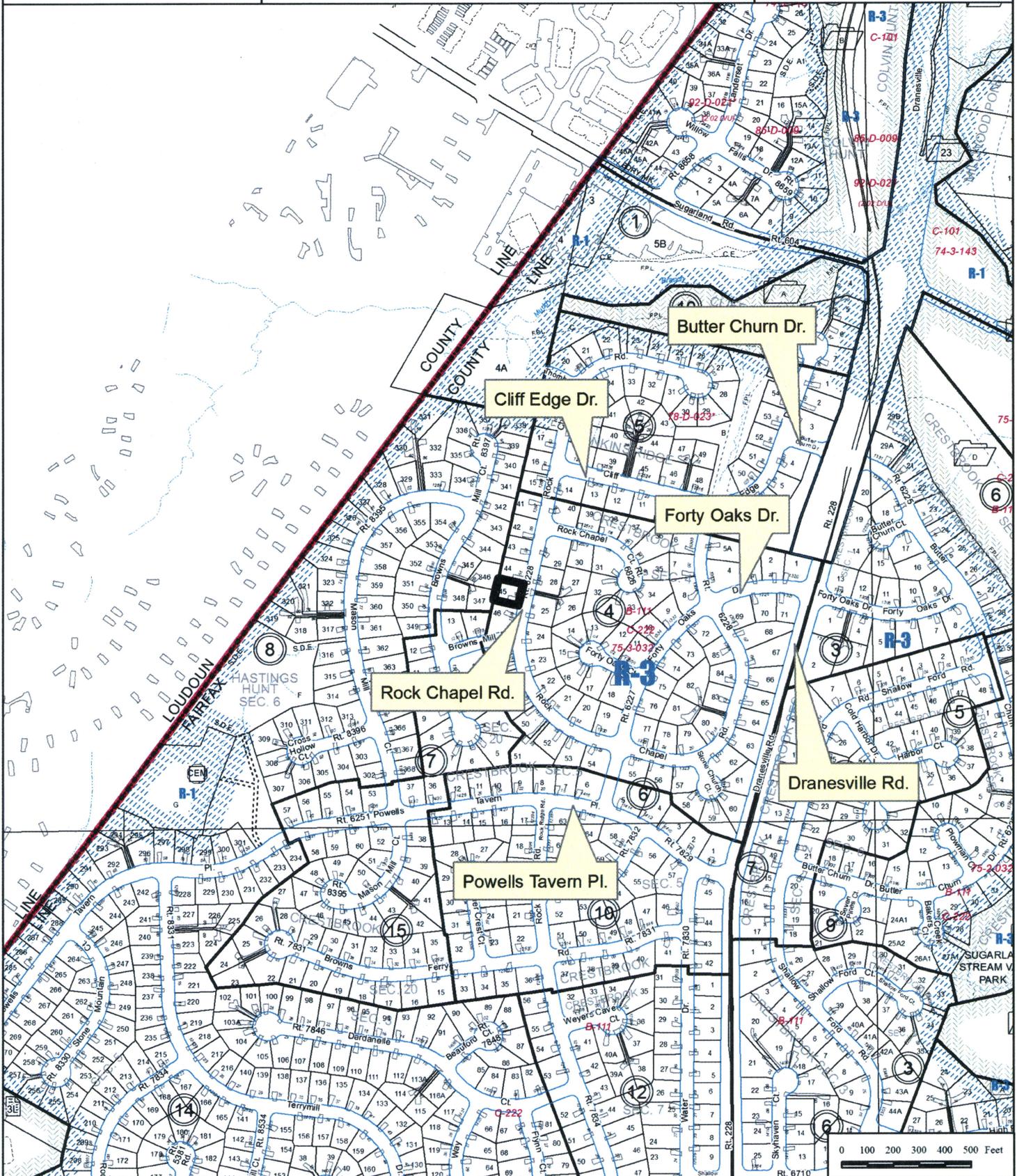
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

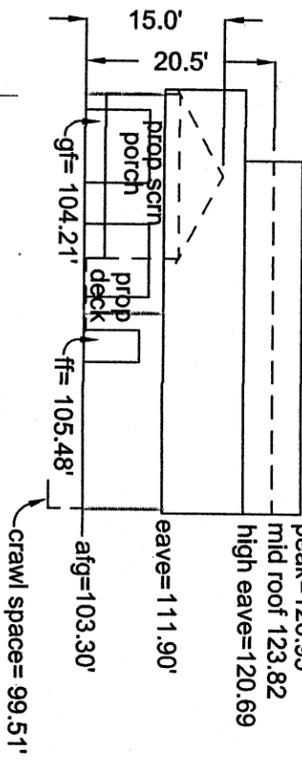
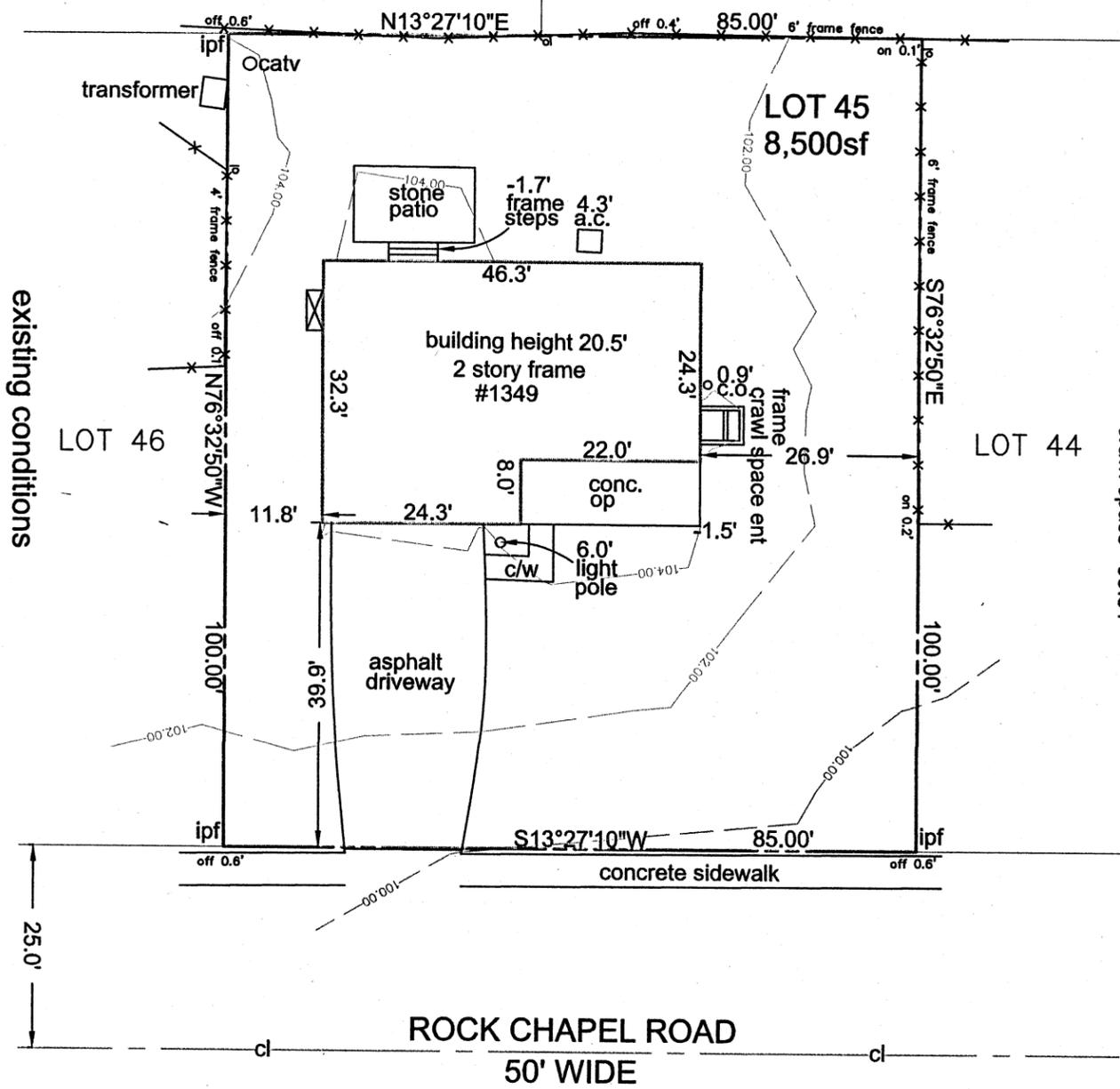


# Special Permit SP 2016-DR-007 DEVIN MAHONEY



HASTINGS HUNT

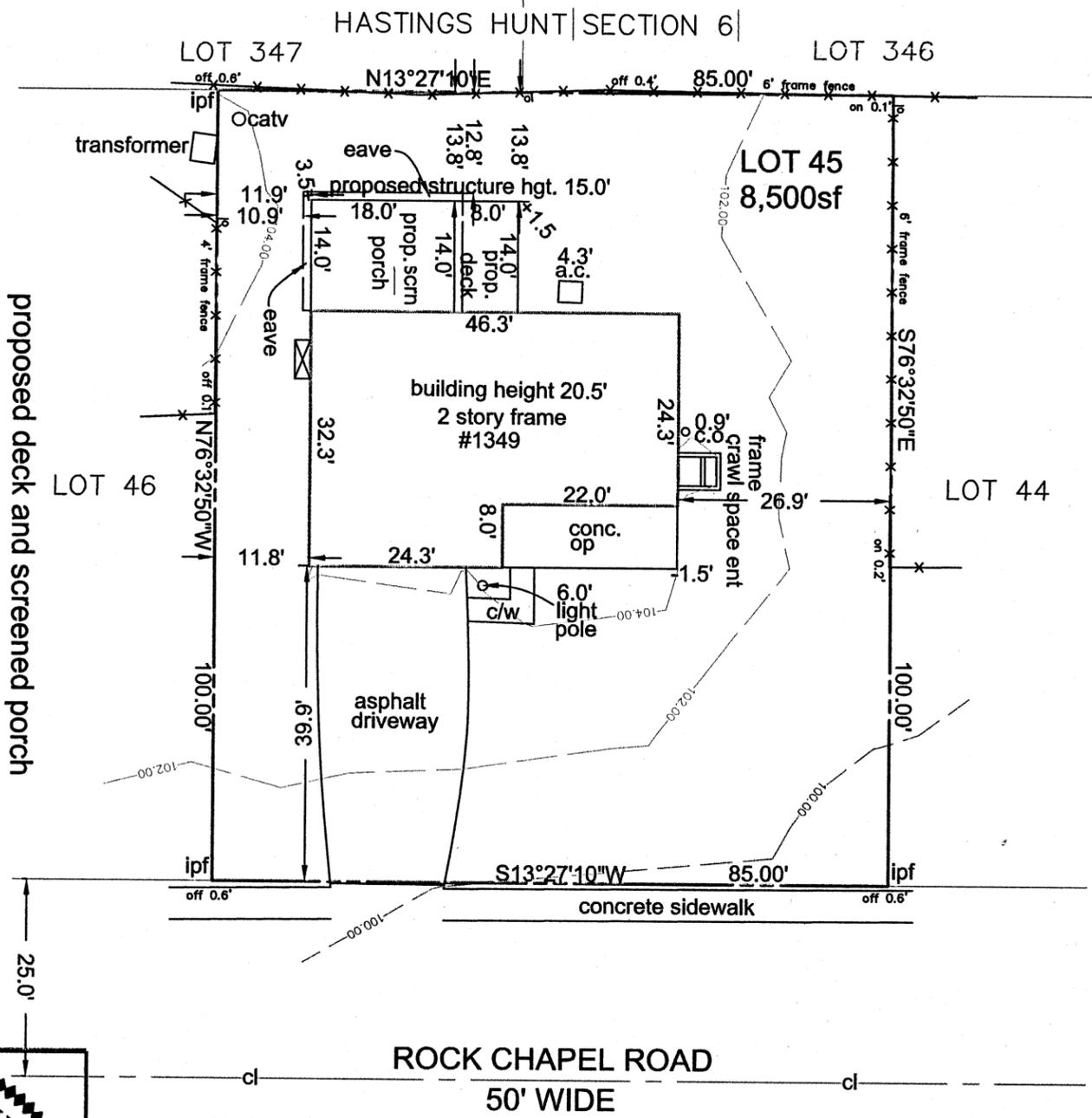
LOT 347 HASTINGS HUNT SECTION 6 LOT 346



- \*Key  
 catv cable tv  
 a.c. air conditioner  
 c.o. clean out  
 op open porch  
 ipf iron pipe found  
 cl center line

- 1) Building restriction lines R-3 (c)  
 (a) Front yard: 20 feet  
 (b) Side yard: 8 feet, but a total minimum of 20 feet  
 (c) Rear yard: 25 feet

RECEIVED  
 Department of Planning & Zoning  
 FEB 04 2016  
 Zoning Evaluation Division



- proposed deck and screened porch  
 pre construction gross floor area 2250 sf  
 addition (screened porch) 252 sf  
 post construction gross floor area 2502 sf  
 252 sf/2250sf equal an 11.2% increase in GFA  
 pre cons. FAR 0.26  
 post cons. FAR 0.29

1. The property shown here on is located on Fairfax County tax map no. 0054 04 0045 and is zoned R-3 (c).
2. This property is serviced by public water and sewer.
3. There are no trails proposed on the comprehensive plan in this area.
4. There is no 25' or larger easement on this property, or major underground easements.
5. There is no flood plain or resource protection area in the vicinity.
6. There are no burial sites apparent on the property.
7. Proposed use is residential.
8. SWM plans will be submitted at such time as a grading plan is required.
9. Topography field shot. Elevations assumed.

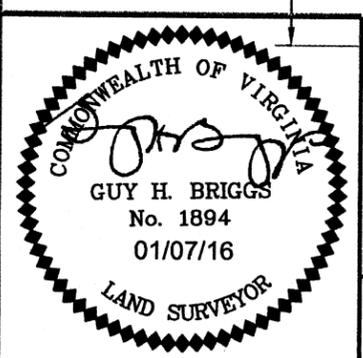
rev JANUARY 07, 2016  
 OCTOBER 19, 2015

SPECIAL PERMIT PLAT  
 LOT 45, SECTION 4 CRESTBROOK DB 4875 PG 719  
 DRANESVILLE DISTRICT FAIRFAX COUNTY, VIRGINIA

**APEX SURVEYS LLP**

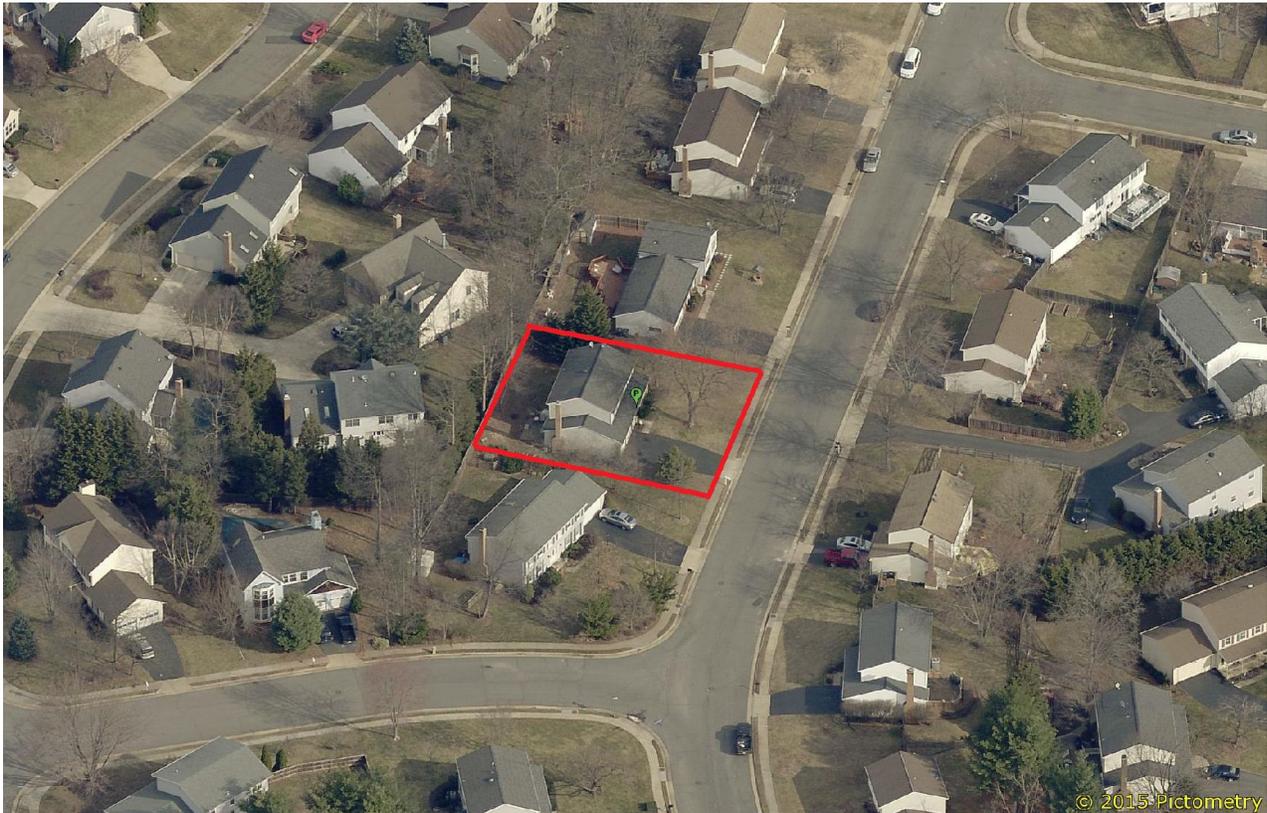
7720 VICEROY STREET 703 866-1236  
 SPRINGFIELD, VIRGINIA 22151

JOB #: 15-0297  
 SCALE: 1"=20'



## SPECIAL PERMIT REQUEST

The applicant requests special permit approval to permit a reduction in the rear yard requirement to permit the construction of a screened porch addition to within 12.8 feet of the rear property line.



**Figure 1: Subject property**, Source: Pictometry 2015.

A copy of the special permit plat, entitled "Special Permit Plat, Lot 45, Section 4, Crestbrook," prepared by Guy H. Briggs, L.S., of Apex Surveys LLP, dated October 19, 2015, last revised January 7, 2016 and received February 4, 2016, consisting of one sheet is provided at the front of this staff report. A copy of the applicant's statement of justification and relevant photographs, architectural renderings, and the affidavit are provided in Appendices 1-3, respectively.

## CHARACTER OF THE SITE AND SURROUNDING AREA

The 8,500 square foot subject property is located approximately 1,000 feet west of Dranesville Road and is part of the Crestbrook subdivision, which was developed following approval of a rezoning application in the mid-1970s. The development is a conventionally designed subdivision of single family detached dwellings that was created using the cluster provisions in the R-12.5 District, carried forward into the current R-3 District.

The property is developed with a 2,250 square foot, 2-story residence, including a 2-car garage integrated into the residence and a small rear stone patio on the rear. The property has fencing around the rear yard, with a 4-foot fence on the south lot line and 6-foot fences along the rear property line and north side lot line. The subject property is similar to other properties in the development in scale and design.

## **BACKGROUND AND HISTORY**

County Records indicate that the existing single family dwelling was permitted for construction in 1982 (Building Permit #82252-B-065). The property was originally assessed with the improvements in 1983. There have been no other permits for the property and no other improvements except for the driveway and stone patio.

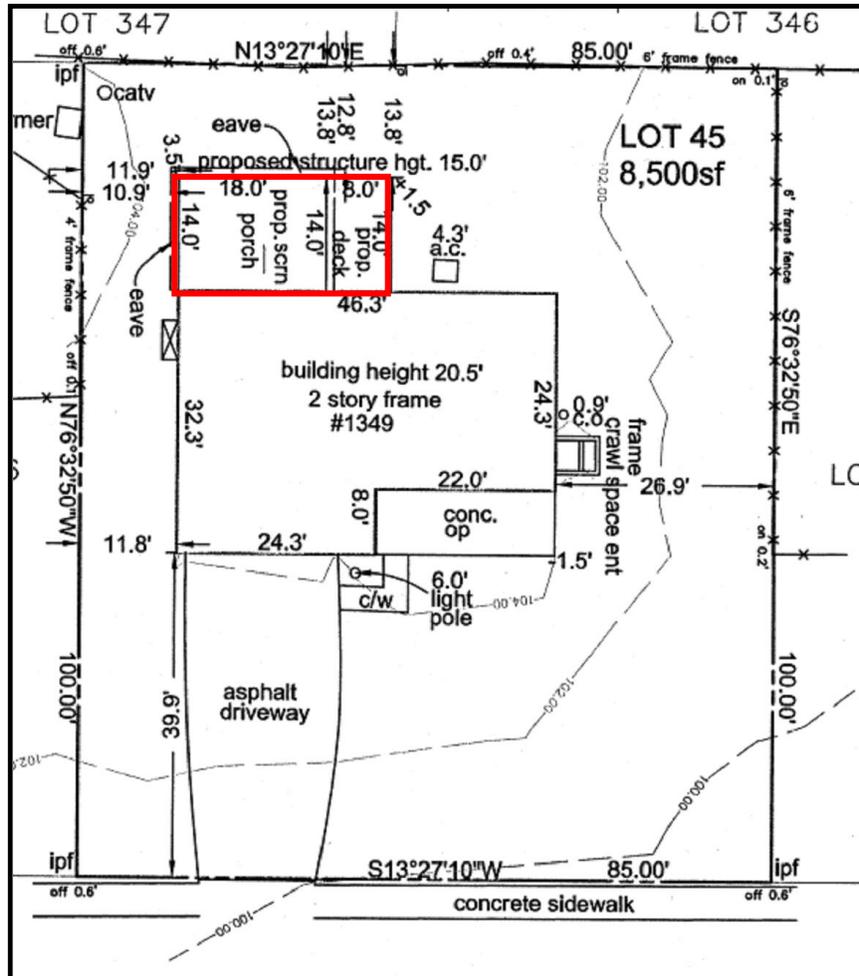
This is the first special permit or variance request for the subject property. County records indicate there have been two other special permit/variance application in the area:

- Special Permit Application SP 89-D-037, for 1310 Browns Mill Court, for an error in building location
- Variance Application VC 87-D-111, for 1341 Rock Chapel Road, to allow construction of an enclosed addition 21 feet from the rear lot line

## **DESCRIPTION OF THE APPLICATION**

The applicant request special permit approval to replace the existing stone patio with a new screened porch and open deck addition. The screened porch portion is the element requiring approval of a special permit, as the open deck is permitted to extend into the minimum rear yard by up to 17 feet (per Section 2-412.2 of the Zoning Ordinance). The proposed screened porch is 252 square feet in area, with the open deck covering an additional 112 square feet. The applicant proposes a screen porch with a 3-way peaked roof, approximately 14 feet in height to the peak.

Figure 2, shows a portion of the Special Permit Plat depicting the final improvements relative to the subject property's lot lines.



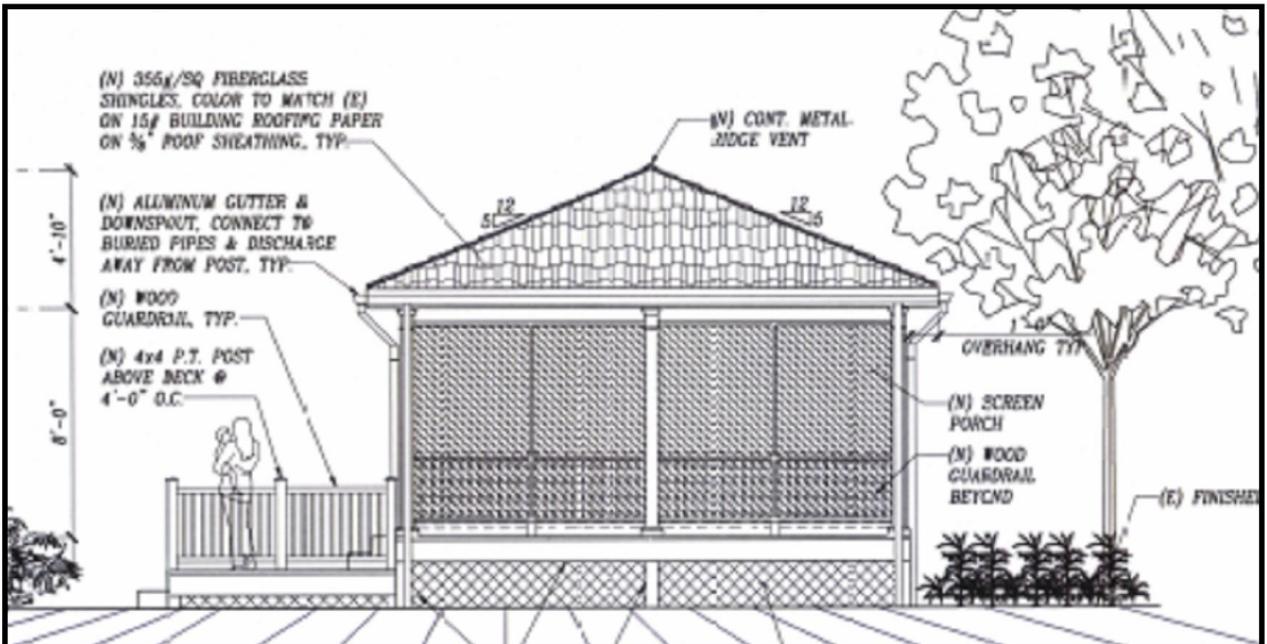
**Figure 2: Proposed addition**, shown in red. The screened porch is the subject of this application. Source: Applicant.

The proposed addition is shown in more detail in Appendix 2. It will be a standard peaked construction with a tri-wing roof at a peak of approximately 15 feet in height, and will include standard gutter and downspouts. The attached open deck will be a transition space at approximately 1 foot above ground level.

Figure 3 is an image of the applicant’s rear yard on which is superimposed an outline of the area proposed for construction. Figure 4 shows a rear yard rendering of the proposed screened porch.



**Figure 3:** The existing rear yard, with area proposed for addition outlined in red. Source: Applicant.



**Figure 4: Proposed screened porch addition, from western neighboring property perspective.** Source: Applicant.

**ANALYSIS**

**Comprehensive Plan Provisions**

Plan Area: III  
 Planning District: Upper Potomac  
 Planning Sector: Greater Herndon Community Planning Sector (UP4)  
 Plan Map: Residential 2-3 dwelling units/acre

The Comprehensive Plan identifies this area as planned for residential development at 2-3 dwelling units/acre, compatible with the surrounding community.

**ZONING ORDINANCE REQUIREMENTS** (Appendix 6)

The subject property is zoned R-3 using the cluster provisions that were in place under the previous R-12.5 District.

<b>Bulk Standards (R-3, cluster)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Size	8,500 sf.	8,500 sf.
Lot Width	N/A	85 feet
Building Height	Max. 35 feet	20.5 feet
Front Yard	Min. 20 feet (was 30 ft. under R-12.5)	39.9 feet
Side Yard	8 feet min/20 feet combined	11.8 feet/38.7 feet
Rear Yard	Min. 25 feet	12.8 feet proposed

This special permit application is subject to the following provisions of the Zoning Ordinance and are provided as Appendix 6. Subject to the development conditions, the special permit must meet these standards.

- *Sect. 8-006* General Special Permit Standards
- *Sect. 8-903* Group 9 Standards
- *Sect. 8-922* Provisions for Reduction of Certain Yard Requirements

The following is staff’s analysis of the Zoning Ordinance provisions and the proposal to permit a reduction in the minimum rear yard to 12.8 feet to allow construction of the screened porch.

**General Standards for Special Permit Uses (Sect. 8-006)**

<b>Standards 1 &amp; 2</b> Comprehensive Plan/ Zoning District	The Comprehensive Plan recommends residential uses at 2-3 dwelling units/acre and the property is developed with a residential use. The R-3 District allows a reduction in minimum required yards with special permit approval.
<b>Standard 3</b> Adjacent Development	All other adjacent lots have similar sized residences and characteristics. The applicant's proposal would impact two neighbors, though the change as proposed would be minor compared to the existing condition of the stone patio.
<b>Standard 4</b> Pedestrian/ Vehicular Traffic	No increased vehicular or pedestrian traffic is expected with this application. The proposed change does not conflict with existing and anticipated traffic in the neighborhood.
<b>Standard 5</b> Landscaping/ Screening	None of the existing landscaping is anticipated to be disturbed with the proposed addition.
<b>Standard 6</b> Open Space	There is no prescribed open space requirement on individual lots in the R-3 District.
<b>Standard 7</b> Utilities, Drainage, Parking, and Loading	The proposed changes would not result in any impact on the public utilities, drainage patterns, or parking in the surrounding area.
<b>Standard 8</b> Signs	No signage is proposed.

**Standards for all Group 9 Uses (Sect. 8-903)**

<b>Standard 1</b> Lot Size and Bulk Regulations	The bulk regulation for the minimum required rear yard is requested to be modified with the special permit application. The subject property conforms to all lot size and bulk regulations in the R-3 District.
<b>Standard 2</b> Performance Standards	The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.
<b>Standard 3</b> Site Plan	The proposed construction will not disturb more than 2,500 square feet, therefore no additional site plan requirements are required.

**Standards for Reduction of Certain Yard Requirements (8-922)**

<p><b>Standard 1</b> Yard Requirements Subject to Special Permit</p>	<p><i>A. Minimum required yards – Yards not less than 50% of the requirement and not less than 5 feet:</i> The proposed addition would be located 12.8 feet from the rear lot line. The required rear yard in the R-3 District is 25 feet, resulting in a reduction of 12.2 feet, or 48.8%.  <i>B. Pipestem lots- N/A</i>  <i>C. Accessory structure locations – N/A</i>  <i>D. Extensions into minimum required yards allowed by Sect. 2-412: N/A</i></p>
<p><b>Standard 2</b> Not a Detached Structure in a Front Yard</p>	<p>The application does not propose a detached accessory structure.</p>
<p><b>Standard 3</b> Principal Structure that Complied with Yard Requirements When Established</p>	<p>The principal dwelling was constructed in 1983, and is in compliance with all yard requirements under the clusters provisions of the R-3 District.</p>
<p><b>Standard 4</b> Addition No More than 150% of Existing Gross Floor Area (GFA)</p>	<p>The proposed addition totals 252 square feet which is an increase of 11.2% of additional GFA. If approved, the applicant would be permitted to have an increase of up to 3,375 square feet GFA under this special permit.</p>
<p><b>Standard 5</b> Accessory Structure Subordinate in Purpose, Scale, Use and Intent</p>	<p>N/A</p>
<p><b>Standard 6</b> Construction in Character with On-Site Development</p>	<p>The proposed addition is designed to improve on the access to the rear yard and provide a transition from the residence. The materials and design would be consistent with the character of the existing residence.</p>
<p><b>Standard 7</b> Construction Harmonious with Off-Site Development</p>	<p>The neighborhood consists of single family detached dwellings of similar sizes and characteristics. The proposal is consistent with the existing character of the Crestbrook neighborhood.</p>
<p><b>Standard 8</b> Construction Shall Not Adversely Impact Adjacent Properties</p>	<p>The proposed addition would be located approximately 30 feet from the neighbor's residence to the south, the nearest point of any neighbor, which is not closer than the existing patio. The neighbor most impacted is 37 feet to the west, and is screened with landscaping and the applicant's rear fence. Staff does not anticipate any impacts on adjacent properties.</p>

<p><b>Standard 9</b> Represents the Minimum Amount of Reduction Necessary</p>	<p>Staff believes this proposal represents the minimum amount of reduction necessary. The applicant is proposing to essentially replace the existing stone patio with an enclosed outdoor-oriented addition slightly larger than the existing condition, and will be less than 2 feet closer to the rear lot line.</p> <p>Other issues of environmental characteristics, slopes, wells, floodplains and/or Resource Protection Areas, easements and historic resources are not applicable to this site.</p>
<p><b>Standard 10</b> BZA May Impose Conditions</p>	<p>Proposed Development Conditions are included in Appendix 1.</p>
<p><b>Standard 11</b> Submission Requirements</p>	<p>A copy of the plat is included in the beginning of this report.</p>
<p><b>Standard 12</b> Architectural Elevations</p>	<p>Architectural elevations are provided in Appendix 2 and enclosed with the Proposed Development Conditions as Attachment 1.</p>

**CONCLUSION**

Staff finds that the proposal to permit a reduction of certain yard requirements to permit construction of an addition 12.8 feet from the rear lot line is in conformance with the applicable Zoning Ordinance provisions.

**RECOMMENDATION**

Staff recommends approval of SP 2016-DR-007 for the construction of the addition, subject to the Proposed Development Conditions contained in Appendix 1 of the staff report.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

**APPENDICES**

1. Proposed Development Conditions
2. Applicant's Statement of Justification, Architectural Renderings, and Photographs
3. Applicant's Affidavit
4. Applicable Building Permit Information
5. Agency Comments
6. Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2016-DR-007****April 13, 2016**

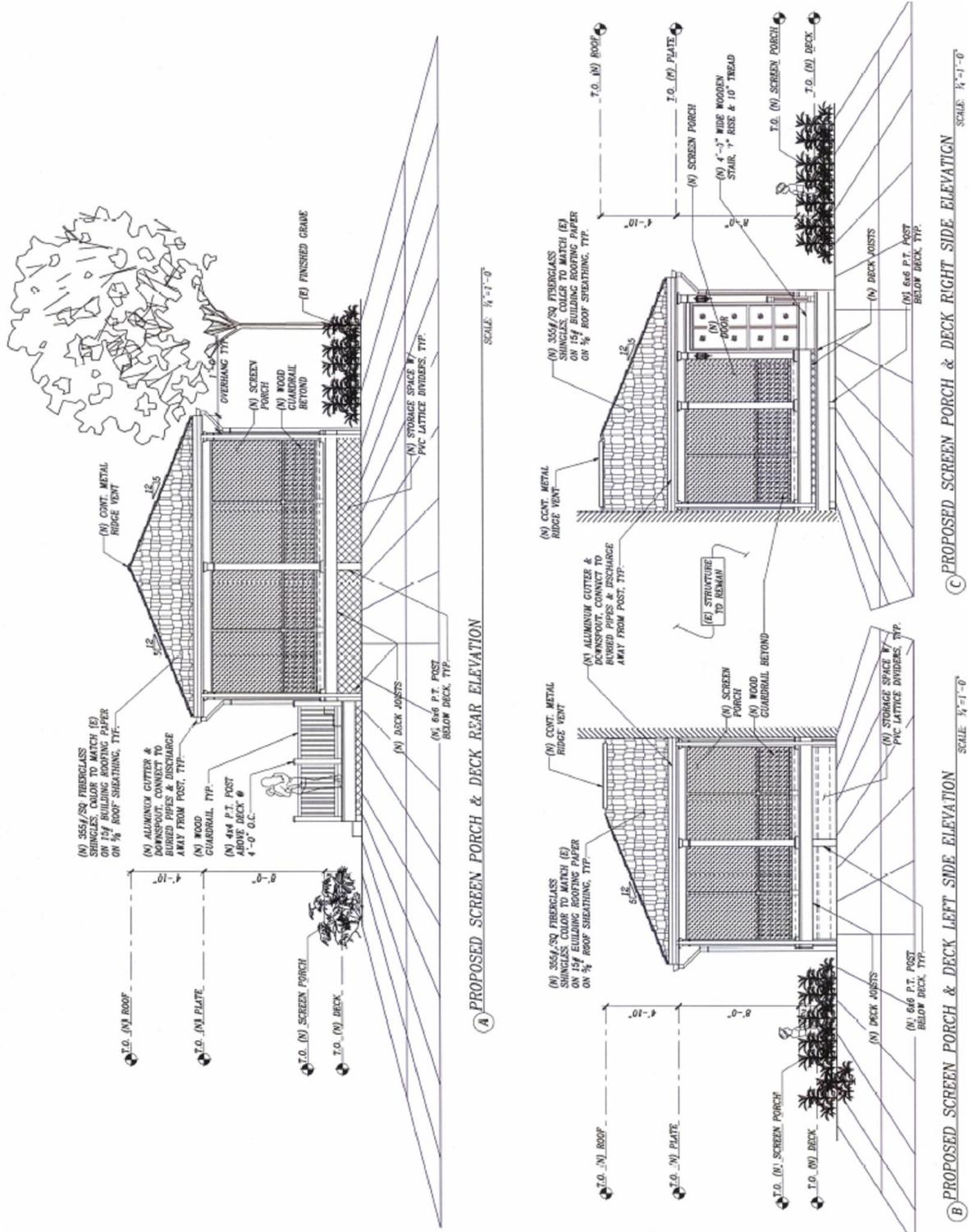
If it is the intent of the Board of Zoning Appeals to approve SP 2016-DR-007 located at Tax Map 5-4 ((4)) 45 to permit reduction of certain yard requirements pursuant to Sects. 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of the addition as shown on the special permit plat, entitled "Special Permit Plat, Lot 45, Section 4, Crestbrook," prepared by Guy H. Briggs, L.S., of Apex Surveys LLP, dated October 19, 2015, last revised January 7, 2016 and received February 4, 2016, consisting of one sheet as submitted with this application and is not transferable to other land.
3. Pursuant to Par. 4 of Sect. 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (2,250 square feet existing + 3,375 square feet (150%) = 5,625 square feet permitted) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall be generally consistent with the architectural rendering provided as Attachment 1 to these conditions.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, 30 months after the date of approval unless construction has commenced and has been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

ATTACHMENT 1: Architectural Renderings for Proposed Addition



## Statement of Justification

**SPECIAL PERMIT STATEMENT OF JUSTIFICATION**

RECEIVED  
Department of Planning & Zoning

JAN 15 2016

Zoning Evaluation Division

Devin Mahoney  
1349 Rock Chapel Road  
Herndon, VA 20170  
Tax Map #: 0054 04 0045  
Phone #: 571-249-1349  
E-mail: devin@devinmahoney.com

Date: ~~December 21, 2015~~  
January 11, 2016

Fairfax County Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, VA 22035

RE: Special Permit Application  
Applicant: Devin Mahoney  
Zoning Ordinance Section 8-922 Provision for Reduction of Certain Yard Requirements  
Tax Map #: 0054 04 0045  
Zoning District: R-3  
Lot Size: 8,500 SQ FT

To Whom It May Concern:

Please accept the following as my statement of justification for a reduction of yard requirements in order to build a screened-in porch. I own and live in a single-family home at 1349 Rock Chapel Road in Fairfax, Virginia with my wife and two children. The property is zoned R-3 and I understand that I need to seek approval of a special permit in order to build a structure that will encroach on the yard requirements for my zoning district. Below is information about my home

Type of operation: Household/Residential

Hours: Continuous use of residence including weekdays and weekends

Number of Residents: 4 total: 2 adults and 2 children

Number of Employees: 0

Traffic impact: There will be no impact on traffic due to the nature and location of the proposed structure.

Area Served: The neighborhood consists of single-family homes, many of which also have screened-in porches in their backyards.

Building Description: The proposed screened-in porch will be a 252 sq. ft. single-story addition to the existing structure with an attached deck. The facade will coordinate and

compliment the existing structure.

Hazardous or Toxic Substances: The house and yard are free from hazardous and toxic substances. No hazardous materials will be generated, utilized, stored, treated, and/or disposed of onsite.

Proposed Development Statement: The proposed development conforms to the provisions of all applicable ordinances, regulations, and adopted standards with the waiver detailed in Section 8-922, Provision for Reduction of Certain Yard Requirements.

For these reasons, I believe that my proposed screened-in porch addition will not impact my neighbors in any negative way.

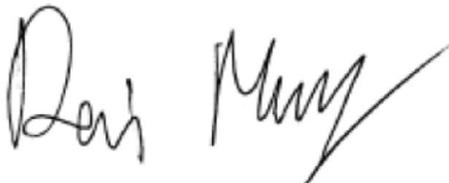
Due to the proposed addition's size, the yard requirements will not result in a less than 50% reduction in yard setback requirements or a yard less than 5 feet. The proposed addition would increase the gross floor area from 2250 sq. ft. to 2502 sq. ft., and be an increase of 11.2% of the pre-construction gross floor area. This increase is far less than 150% of the total gross floor area of the principle structure. The proposed screened-in porch will encroach to 12.8 feet from the rear lot line and 10.9 feet from the south side lot line.

The proposed addition is harmonious with the surrounding structures in the neighborhood because the location, height, bulk, and scale of the proposed structure are similar to other screened-in porches in the neighborhood. In speaking to our four immediate neighbors, none have objected to the proposed structure, and the structure will not create any additional noise, light, air, safety, erosion, or storm-water runoff issues.

In keeping with the character of the neighborhood, the screened-in porch would be best suited for the backyard. Any alternate location for the screened-in porch would impugn upon the ascetic of the neighborhood.

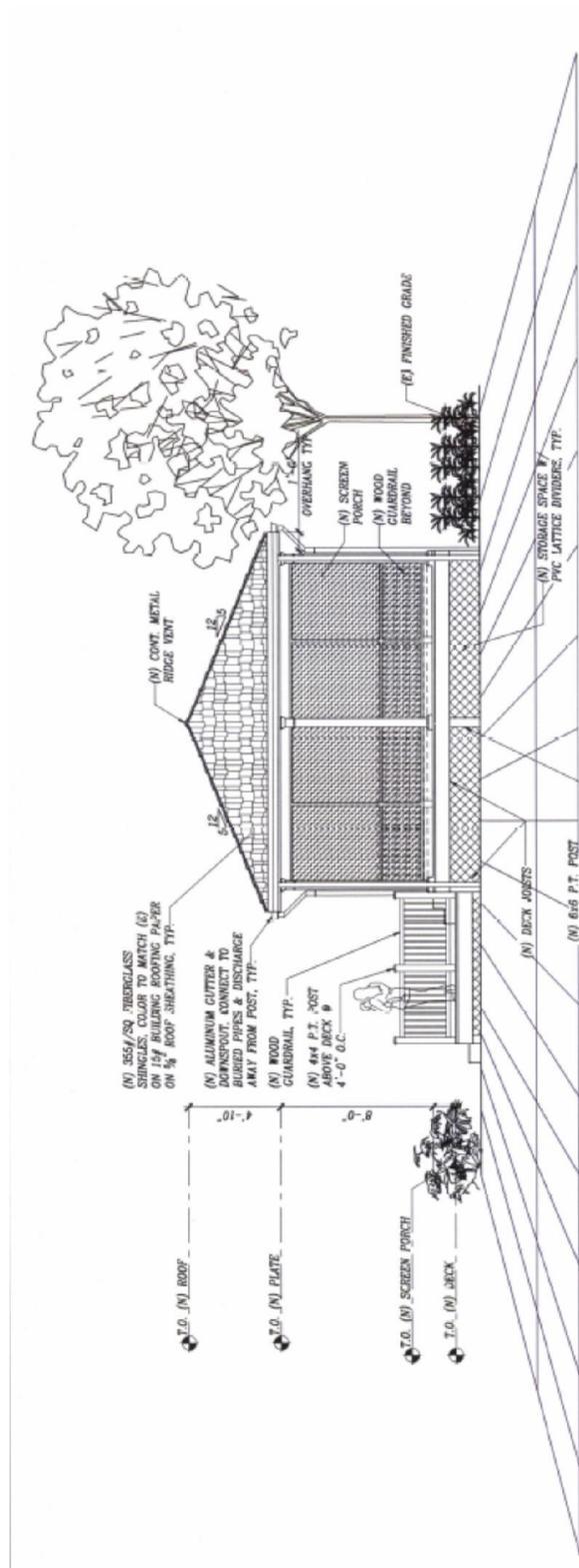
In conclusion, I am seeking a waiver for a reduction of yard requirements for the rear lot line to 12.8 feet and the south side lot line to 10.9 feet.

Sincerely,

A handwritten signature in black ink, appearing to read "Devin Mahoney". The signature is written in a cursive, flowing style with a long, sweeping underline.

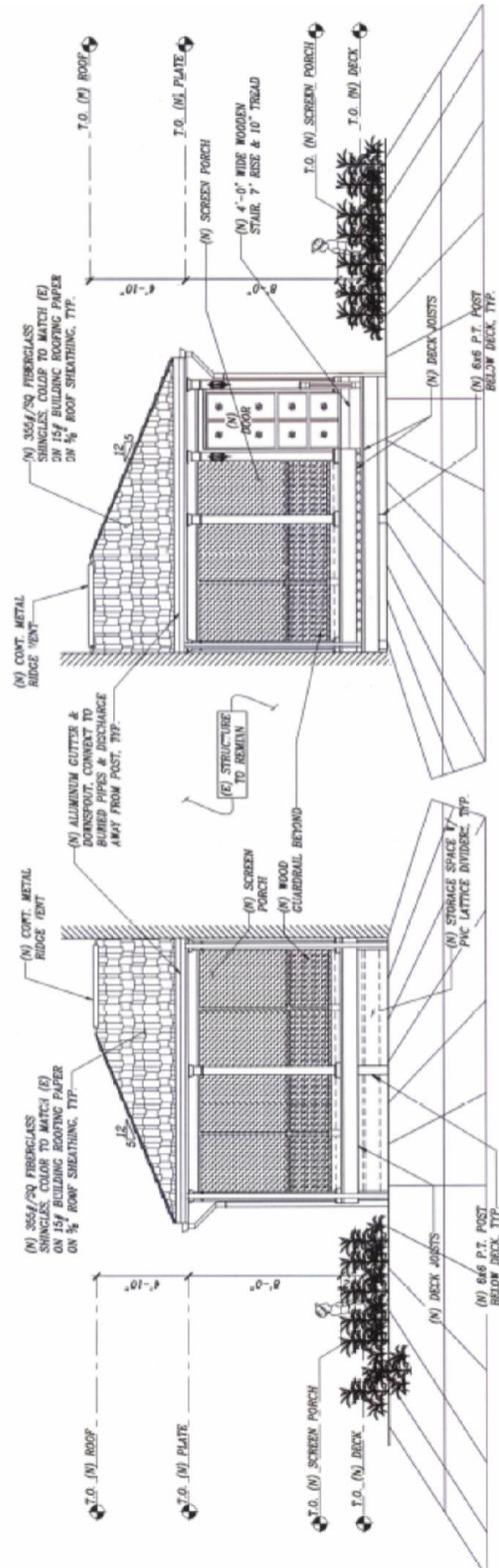
Devin Mahoney, Owner of 1349 Rock Chapel Road, Herndon, VA 20170.

Architectural Rendering



A PROPOSED SCREEN PORCH & DECK REAR ELEVATION

SCALE: 1/4"=1'-0"



B PROPOSED SCREEN PORCH & DECK LEFT SIDE ELEVATION

SCALE: 1/4"=1'-0"

C PROPOSED SCREEN PORCH & DECK RIGHT SIDE ELEVATION

SCALE: 1/4"=1'-0"

Photographs of Subject Property



Above, front of residence. Below, rear yard and location of proposed screen porch addition.





Above, view of subject property side yard from front. Below, another view of side yard.





Both, location of proposed screened porch addition, marked by string. Note relative to existing stone porch.





Both, showing relative position of neighbor's residence to subject property.





Above, showing approximate location of proposed screened porch to property line and to neighbor's residence. Below, reverse angle of property line.





# County of Fairfax, Virginia

## MEMORANDUM

Office of the County Attorney  
 Suite 549, 12000 Government Center Parkway  
 Fairfax, Virginia 22035-0064  
 Phone: (703) 324-2421; Fax: (703) 324-2665  
 www.fairfaxcounty.gov

**DATE:** March 21, 2016

**TO:** Heath Eddy, Staff Coordinator  
 Applications Acceptance Section  
 Zoning Evaluation Division  
 Department of Planning and Zoning

**FROM:** Sepideh Aflaki-Khosrowshahi, Paralegal  
 Office of the County Attorney

**SUBJECT:** BZA Affidavit  
 Temporary Application No. SP 2015-0343

**REF.:** 132309

RECEIVED  
 Department of Planning & Zoning

MAR 23 2016  
 Zoning Evaluation Division

Attached is a copy of an application and an original affidavit that has been approved by the Office of the County Attorney for the following case:

Name of Applicant

Affidavit Date of Oath

Devin Mahoney

10/26/15

Attachment

OWNER CONSENT/AGENT AUTHORIZATION STATEMENT

To Whom It May Concern:

We, the undersigned applicant and/or title owner(s) of the property identified below, do hereby authorize Devin Mahoney, to act as agent(s) in the furtherance of an application for a special permit on property located at: 1379 Rock Chapel Rd.  
Herndon, VA 20170

Thank you in advance for your cooperation.

APPLICANT/TITLE OWNER

Date: 11/18/2015

By: Elizabeth Mahoney  
[Name] Elizabeth Mahoney

COMMONWEALTH/STATE OF: Virginia  
CITY/COUNTY OF: Loudoun, TO WIT:

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of November 2015, in the County of Loudoun, Virginia [State]



Nancy Shaw Tondereau  
Notary Public  
Commonwealth of Virginia  
My Commission Expires  
March 31, 2016  
Notary Registration Number: 7165551

Nancy Shaw Tondereau  
11/18/2015

AFFIX NOTARY SEAL/STAMP

Nancy Shaw Tondereau  
Notary Public (Signature)  
Notary Registration No. 7165551  
My Commission Expires: March 31, 2016

ALL TITLE OWNERS MUST SIGN IN PRESENCE OF NOTARY. IF THERE IS MORE THAN ONE OWNER, SIGNATURES MAY CONTINUE ON NEXT PAGE.

132309



**COUNTY OF FAIRFAX**  
**Department of Planning and Zoning**  
**Zoning Evaluation Division**  
12055 Government Center Parkway, Suite 801  
Fairfax, VA 22035 (703) 324-1290, TTY 711  
[www.fairfaxcounty.gov/dpz/zoning/applications](http://www.fairfaxcounty.gov/dpz/zoning/applications)

**APPLICATION No:** SP 2016-DR-007  
(Staff will assign)

RECEIVED  
Department of Planning & Zoning  
OCT 28 2015

**APPLICATION FOR A SPECIAL PERMIT** Zoning Evaluation Division  
(PLEASE TYPE or PRINT IN BLACK INK)

<b>APPLICANT</b>	<b>NAME</b> Devin Mahoney
	<b>MAILING ADDRESS</b> 1349 Rock Chapel Road, Herndon, VA 20170
	<b>PHONE HOME ( ) WORK ( )</b> 703-955-7236
	<b>PHONE MOBILE ( )</b> 571-249-1349
<b>PROPERTY INFORMATION</b>	<b>PROPERTY ADDRESS</b> 1349 Rock Chapel Road, Herndon, VA 20170
	<b>TAX MAP NO. SIZE (ACRES/SQ FT)</b> 0054 04 0045 8,500 SQ FT
	<b>ZONING DISTRICT MAGISTERIAL DISTRICT</b> R-3(Residential 3 DU/AC) DRANESVILLE
	<b>PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION:</b>
<b>SPECIAL PERMIT REQUEST INFORMATION</b>	<b>ZONING ORDINANCE SECTION</b> Article 8-922: Provision for Reduction of Certain Yard Requirements
	<b>PROPOSED USE</b> Reduction of certain yard requirements to permit the construction of an addition, 13 feet from the rear yard line.
<b>AGENT/CONTACT INFORMATION</b>	<b>NAME</b> Devin Mahoney
	<b>MAILING ADDRESS</b> 1349 Rock Chapel Road, Herndon, VA 20170
	<b>PHONE NUMBER HOME WORK</b> 703-955-7236
	<b>PHONE NUMBER MOBILE</b> 571-249-1349
<b>MAILING</b>	<b>Send all correspondence to (check one):</b> <input checked="" type="checkbox"/> Applicant -or- <input type="checkbox"/> Agent/Contact
<p>The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.</p> <p>Devin Mahoney <u>Devin Mahoney</u> <b>TYPE/PRINT NAME OF APPLICANT/AGENT</b> <b>SIGNATURE OF APPLICANT/AGENT</b></p>	

SP 2015-0343

DO NOT WRITE IN THIS SPACE

Date Application accepted: \_\_\_\_\_ Application Fee Paid: \$ \_\_\_\_\_

Application No.(s): SP 2016-DR-007  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 10/26/2015  
(enter date affidavit is notarized)

132309

I, Devin Mahoney, do hereby state that I am an  
(enter name of applicant or authorized agent)

(check one)       applicant  
                          applicant's authorized agent listed in Par. 1(a) below

and that, to the best of my knowledge and belief, the following is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE,\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

**(NOTE:** All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Devin Mahoney	1349 Rock Chapel Road, Herndon, VA 20170	Applicant/Title Owner
Elizabeth Mahoney	1349 Rock Chapel Road, Herndon, VA 20170	Title Owner

(check if applicable)       There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.  
\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): SP 2016-DE-007  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 10/26/2015  
(enter date affidavit is notarized)

132309

1(b). The following constitutes a listing\*\*\* of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

**(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)**

**CORPORATION INFORMATION**

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF SHAREHOLDERS:** (enter first name, middle initial, and last name)

(check if applicable)  There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): SP 2016-DR-007  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 10/26/2015  
(enter date affidavit is notarized)

132309

1(c). The following constitutes a listing\*\*\* of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

**PARTNERSHIP INFORMATION**

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state, and zip code)

(check if applicable)  The above-listed partnership has no limited partners.

**NAMES AND TITLE OF THE PARTNERS** (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable)  There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s):

SP 2016-DR-067

(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 10/26/2015  
(enter date affidavit is notarized)

132309

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable)  There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s): SP 2016-DR-007  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 10/26/2015  
(enter date affidavit is notarized)

132309

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on line below.)

NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

Devin Mahoney

(check one)

Applicant

Applicant's Authorized Agent

Devin Mahoney, Applicant / Title Owner

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 26<sup>th</sup> day of OCTOBER, 20 15, in the State/Comm. of VIRGINIA, County/City of LOUDOUN

Priscilla Ann Hartley  
Notary Public

My commission expires: 02/28/2018



**BUILDING  
 PERMIT APPLICATION**

19

Date

**JOB LOCATION**

Street 1249 Backe (Chapel) Rd Herndon  
 Building n/a Floor n/a Suite n/a  
 Subdivision Crestbrook, Section 4  
 Tenants Name n/a

**DO NOT WRITE IN THIS SPACE**

Permit No. 8725-10650  
 Map Reference 54 09-45  
 Building Permit No. \_\_\_\_\_ Control No. \_\_\_\_\_  
 Std. \_\_\_\_\_ Mag. \_\_\_\_\_ Plan \_\_\_\_\_ Census \_\_\_\_\_

OWNER

Name The Williams Group, Inc.  
 Address (Mailing) 2541 Chain Bridge Rd #14  
 City Fairfax State VA Zip 22030  
 Telephone 541-1780

CONTRACTOR

Company Name The Williams Group, Inc.  
 Master \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Telephone \_\_\_\_\_ License No. \_\_\_\_\_  
 State Contractors License No. \_\_\_\_\_  
 County Business Account No. \_\_\_\_\_

For single family dwelling

**ROUTING**

Description \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

	Date	Approved By:
Health Review		
Site Review	<u>1/14/15</u>	<u>[Signature]</u>
Zoning Review	<u>7/15/14</u>	<u>[Signature]</u>
Sanitation Review	<u>6/2/12</u>	<u>[Signature]</u>
Building Review		
Fire Review		

Model/Use N-Housing  
 Sewage: Public  Community  Septic Tank  None   
 WATER: Public  Individual Well  None   
 N-New  D-Demolish  
 R-Alter or Repair  M-Move  
 A-Add To  O-Other

Use Group of Building 14  
 Type of Construction 415  
 Building Area \_\_\_\_\_  
 Estimated Const. Cost 457,800

**REMARKS:**

**BUILDING DESCRIPTION**

**QUANTITY**

# Units 1  
 # Stories 0  
 # Rooms 8  
 # Bedrooms 5  
 # To be Added \_\_\_\_\_  
 # Baths 7  
 # Half Baths \_\_\_\_\_  
 # Kitchens 1  
 # Fireplaces \_\_\_\_\_  
 Basement 1  
 % Basements to Finish \_\_\_\_\_

**ZONING REVIEW**

Zoning Proffers Building 230  
 Zoning Class \_\_\_\_\_  
 Zoning Case # \_\_\_\_\_

**BUILDING CHARACTERISTICS**

Building Height 24'  
 Exterior Walls Aluminum Siding/wood frame  
 Interior Walls Plaster  
 Roofing Material Asphalt/Flt Shingles  
 Flooring Material Asphalt Shingles  
 Heating Fuel Electric  
 Heating System Heat Pump

**GRADING AND DRAINAGE REVIEW**

Soils \_\_\_\_\_  
 Historical \_\_\_\_\_  
 Plan # \_\_\_\_\_  
 Retaining Wall \_\_\_\_\_

BUILDING DIMENSIONS			
No. Stories	Width	Depth	Sq. Ft.
	X	=	
	X	=	
	X	=	
	X	=	

YARDS Front Front Left Side Right Side Rear  
35' 10' 25' 25'

REMARKS 100  
Crestbrook  
Map 54 09-45  
Station file

**FOR COUNTY USE ONLY:**

Date 10-13-15 By [Signature]  
 Approved for Issuance of Building Permit

Fee 56.40  
 Filing Fee \_\_\_\_\_  
 Amount Due \_\_\_\_\_

The request for and use of personal information on this form is subject to the provisions of the Privacy Protection Act of 1976 and the Freedom of Information Act.

I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that if a permit is issued the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations including private building restrictions, if any, which relate to the property. He/She and the company or organization named and represented herein is duly registered or exempt from registration in accord with the provisions of Chapter 7 of the Code of Virginia.

Signature of Owner or Agent \_\_\_\_\_ Date \_\_\_\_\_ Notary Signature \_\_\_\_\_ Date \_\_\_\_\_

FAIRFAX COUNTY, VIRGINIA

SUBJECT: Request for Amendment of Existing Building Permit DATE: 10/11/82  
REFERENCE: Building Permit Number 82252-B-01651  
Address 1349 Rock Chapel Rd  
Owner The Ryland Group Inc.  
Subdivision Creechbrook #45 Grid

AMENDMENT REQUESTED:

Change house type from Model Matthew to Model Chest  
House relocated Deck or Porch added  
Garage added Garage deleted  
Carport added Carport deleted  
Walkout Basement added Walkout Basement deleted  
Other. Specify:

SUPPORTING DOCUMENTATION SUBMITTED:

Revised Plat Revised Site Plan  
Revised Construction Plans Revised Grading Plan

SIGNATURE OF OWNER OR AGENT Susan R. Cole Phone: 591-7780  
Current mailing address/ZIP 3541 Chain Bridge Rd  
Fairfax Va 22030

BELOW FOR COUNTY USE ONLY  
PLAT No. Subd Des B1k/Sec 4 Pcl/Lot 45  
AMENDMENT APPROVED: DESIGN REVIEW [Signature] (DATE) 10-14-82  
ZONING [Signature] (DATE) 10/15/82  
HEALTH DEPT (DATE)  
CONSTR PLANS REVIEW (DATE)  
ADDITIONAL BUILDING PERMIT FEE TO BE PAID \$ 1750 Fee Code

Distribution: White - Permit Jacket Canary - Zoning  
Pink - Real Estate Goldenrod - Applicant

COUNTY OF FAIRFAX, VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
DIVISION OF DESIGN REVIEW  
RESIDENTIAL USE PERMIT  
12/13/82

STREET NUMBER	STREET NAME	ST TY	ACT NO.	LEVEL	UNIT	ACT NO.
01349	ROCK CHAPEL	RD	001			01

LOT NUMBER	SUBDIVISION NAME	MAP REFERENCE NUMBER	INSP AREA
00045	CRESTBROOK, SEC. 4	005-4- /04/ /0045-	7

	INSPECTED BY	DATE
ELECTRICAL	<u>M2 Corp</u>	<u>12-13-82</u>
PLUMBING	<u>Wester</u>	<u>12-9-82</u>
MECHANICAL	<u>Ballinger</u>	<u>12-14-82</u>
BUILDING	<u>Reed</u>	<u>12-14-82</u>
PUBLIC UTILITIES	<u>Turnstall</u>	<u>12-15-82</u>
APPROVED	<u>Turnstall</u>	<u>12-15-82</u>
REMARKS:	_____	

THE FOLLOWING REQUIREMENTS, IF CHECKED, ARE BEING WAIVED IN ACCORDANCE WITH CHAPTER 112 ARTICLE 18 PART 704 OF THE FAIRFAX COUNTY CODE TO OBTAIN A RESIDENTIAL USE PERMIT:

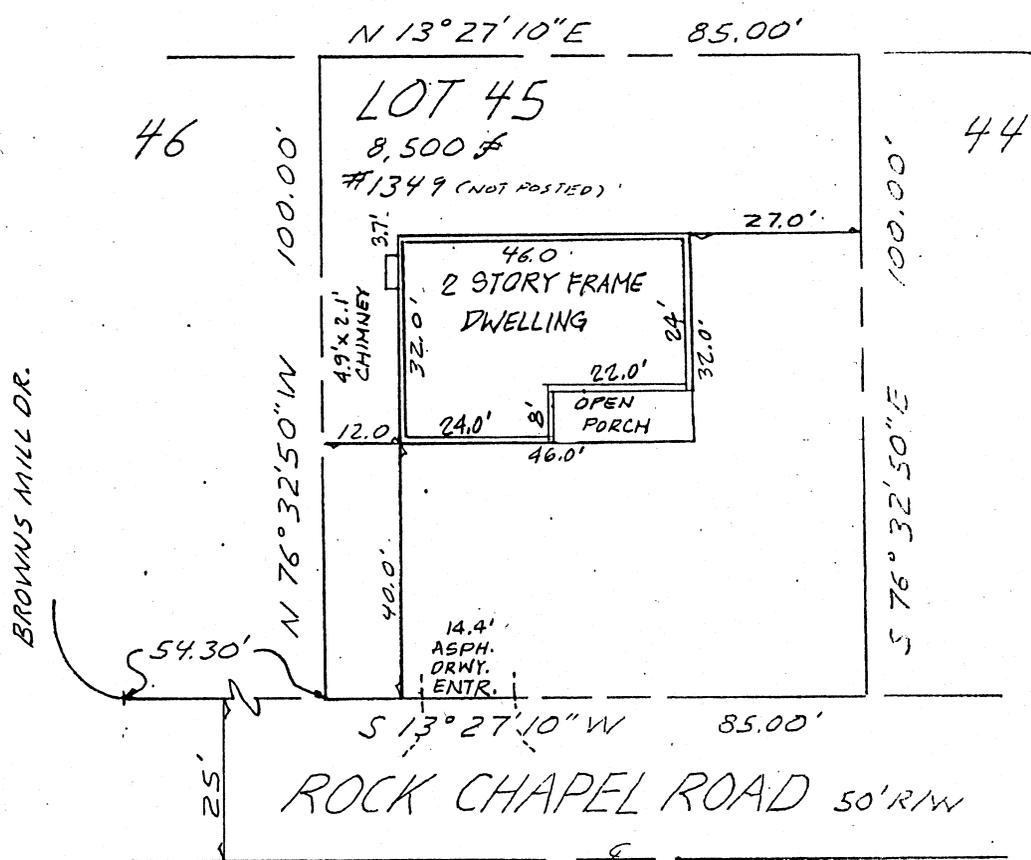
- FINAL GRADING, SODDING, SEEDING OF LOT
- COMPLETION OF LANDSCAPING AND SCREENING REQUIREMENTS
- COMPLETION OF SIDEWALKS
- BITUMINOUS CONCRETE STREET/DRIVEWAY SURFACE
- ADEQUATE STAND OF GRASS

\*\*\*\*\*  
\* ATTENTION \*  
\* NO TREES OR SHRUBS MAY BE PLANTED IN THE DEDICATED \*  
\* RIGHT-OF-WAY WITHOUT FIRST OBTAINING A PERMIT FROM \*  
\* FAIRFAX COUNTY. FOR FURTHER INFORMATION CALL 691-3431. \*  
\* WHEN EXCEPTIONS FOR FINAL GRADING, SODDING AND/OR \*  
\* SEEDING ARE GRANTED DURING THE WINTER, THE BUILDER IS \*  
\* OBLIGATED TO COMPLETE THIS WORK BY THE FIRST DAY OF MAY. \*  
\*\*\*\*\*

HOMEOWNER -  
BUILDER -  
ZONING



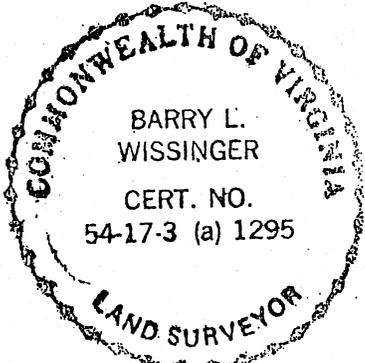
HORNE



FINAL APPROVAL

DEC 21, 1982

*[Signature]*  
Planning Administrator



PLAT SHOWING  
HOUSE LOCATION

LOT 45 SECTION FOUR

**CRESTBROOK**  
Dranesville District  
Fairfax County, Virginia



GREENHORNE & O'MARA, INC.  
ENGINEERING PLANNING SURVEYING  
10710 LEE HIGHWAY, SUITE 202, FAIRFAX, VA. 22030

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN CAREFULLY ESTABLISHED BY A TRANSIT-TAPE SURVEY, AND THAT UNLESS OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.

CERTIFIED CORRECT  
*[Signature]*

SCALE 1"=30'	DATE WC 10-26-82
DRN <i>[Signature]</i> COM	FINAL DEC. 9, 1982
CHK T.F.C. T.F.C.	CO NO RYLAND
FB 142 P 23	FILE HLS



## County of Fairfax, Virginia

## MEMORANDUM

**DATE:** March 21, 2016

**TO:** Heath Eddy, Staff Coordinator  
Department of Planning and Zoning

**FROM:** Samantha Wangsgard, Urban Forester II  
Forest Conservation Branch, DPWES

**SUBJECT:** Chesterbrook Section 4, Lot 45.SP 2016-DR-007

The Urban Forest Management Division (UFMD) has completed its review of the Application for a Special Permit, SP 2016-DR-007 date stamped as received by the Department of Planning and Zoning on December 28, 2015 and Statement of Justification for the subject property, date stamped as received by the Department of Planning and Zoning on January 15, 2016.

Based on this review the UFMD has no specific comments. Should the construction of the screened-in porch be approved, the UFMD recommends that the applicant take reasonable steps to maximize the preservation of existing vegetation by minimizing soil disturbance to only that necessary to access and construct the screened-in porch and by providing the tree protection fencing along the proposed limits of disturbance to protect trees that may be impacted by these activities.

Please contact me should you have any questions.

SW/tw

UFMDID #: 210840

cc: DPZ File

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Department of Public Works and Environmental Services  
Urban Forest Management Division  
12055 Government Center Parkway, Suite 518  
Fairfax, Virginia 22035-5503  
Phone 703-324-1770, TTY: 711, Fax: 703-653-9550  
[www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes)



## Zoning Ordinance Provisions

### 8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

**8-903 Standards for All Group 9 Uses**

In addition to the general standards set forth in Sect. 006 above, all Group 9 special permit uses shall satisfy the following standards:

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans, or other appropriate submission as determined by the Director.

**8-922 Provisions for Reduction of Certain Yard Requirements**

The BZA may approve a special permit to allow a reduction of certain yard requirements subject to all of the following:

1. Only the following yard requirements shall be subject to such special permit:
  - A. Minimum required yards, as specified in the residential, commercial industrial and planned development districts in Articles 3, 4, 5 and 6, provided such yards are not subject to proffered conditions or development conditions related to yards and/or such yards are not depicted on an approved conceptual development plan, final development plan, development plan, special exception plat, special permit plat or variance plat.
  - B. Yard regulations for pipestem lots and lots contiguous to pipestem driveways set forth in Sect. 2-416.
  - C. Accessory structure location requirements set forth in Sect. 10-104.
  - D. Regulations on permitted extensions into a minimum required yard as set forth in Sect. 2-412.

Approval of a reduction of yard requirements specified in Paragraphs A, B and C above shall not result in any yard that is less than fifty (50) percent of the requirement and shall not result in any yard of less than five (5) feet, as measured from the lot line to the closest point of the proposed structure.

Approval of a reduction of yard requirements specified in Par. D above shall not result in an extension that exceeds the applicable distances set forth in

- Sect. 2-412 by more than fifty (50) percent. Where no extension is permitted by the provisions of Sect. 2-412, the BZA shall not approve a special permit that results in a structure that extends into a minimum required yard by more than fifty (50) percent.
2. Such reduction shall not result in the placement of a detached accessory structure in a front yard where the placement of such accessory structure is not otherwise permitted in that yard.
  3. This special permit shall only apply to those lots that contain a principal structure and use that complied with the minimum yard requirements in effect when the use or structure was established.
  4. The resulting gross floor area of an addition to an existing principal structure may be up to 150 percent of the total gross floor area of the principal structure that existed at the time of the first expansion request. The resulting gross floor area of any subsequent addition is limited to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion request, regardless of whether such addition complies with the minimum yard requirements or is the subject of a subsequent yard reduction special permit. If a portion of a single family detached dwelling is to be removed, no more than fifty (50) percent of the gross floor area of the existing dwelling at the time of the first yard reduction shall be removed. Notwithstanding the definition of gross floor area, as set forth in this Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage.
  5. The resulting gross floor area of an existing accessory structure and any addition to it shall be clearly subordinate in purpose, scale, use and intent to the principal structure on the site.
  6. The BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot.
  7. The BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director.
  8. The BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff.
  9. The BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on

- the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources.
10. The BZA may impose such conditions as it deems necessary to satisfy these criteria, including, but not limited to imposition of a maximum gross floor area, floor area ratio, lot coverage, landscaping and/or screening requirements.
  11. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by fifteen (15) copies of a plat and such plat shall be presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat. Such plat shall be drawn to a designated scale of not less than one inch equals fifty feet (1" = 50'), unless a smaller scale is required to accommodate the development. Such plat shall be certified by a professional engineer, land surveyor, architect, or landscape architect licensed by the State of Virginia. Such plat shall contain the following information:
    - A. Boundaries of entire property, with bearings and distances of the perimeter property lines, and of each zoning district.
    - B. Total area of the property and of each zoning district in square feet or acres.
    - C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
    - D. The location, dimension and height of any building, structure or addition, whether existing or proposed. In addition, for decks, the height of the finished floor above finished ground level.
    - E. All required minimum yards to include front, side and rear, a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing and proposed structures to lot lines.
    - F. Means of ingress and egress to the property from a public street(s).
    - G. For nonresidential uses, the location of parking spaces, indicating minimum distance from the nearest property line(s).
    - H. If applicable, the location of a well and/or septic field.

- I. Existing and proposed gross floor area and floor area ratio.
  - J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
  - K. The location, type and height of any existing and proposed landscaping and screening.
  - L. Approximate delineation of any floodplain designated by the Federal Emergency Management Agency, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as defined in the adopted comprehensive plan, and, if applicable, the distance of any existing and proposed structures from the floodplain, Resource Protection Area and Resource Management Area, or environmental quality corridor.
  - M. Seal and signature of professional person certifying the plat.
12. Architectural depictions of the proposed structure(s) as viewed from all lot lines and street lines to include building materials, roof type, window treatment and any associated landscaping and/or screening shall be provided.